



DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **INDUCING CELLULAR IMMUNE RESPONSES TO HER2/neu USING PEPTIDE AND NUCLEIC ACID COMPOSITIONS** the specification of which is attached hereto or X was filed on December 10, 1999 as Application No. 09/458,299 and was amended on (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

| Country | Application No. | Date of Filing | Priority Claimed Under 35 USC 119 |
|---------|-----------------|----------------|--------------------------------------|
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I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

| Application No. | Filing Date |
|-----------------|-------------|
| | |

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| Application No. | Date of Filing | Status |
|-----------------|-------------------|-----------|
| 09/189,702 | November 10, 1998 | pending |
| 08/205,713 | March 4, 1994 | pending |
| 08/159,184 | November 29, 1993 | abandoned |
| 08/073,205 | June 4, 1993 | abandoned |
| 08/027,146 | March 5, 1993 | abandoned |

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Hector A. Alicea, Reg. No. 40,891
Randolph T. Apple, Reg. No. 36,429
Kevin L. Bastian, Reg. No. 34,774
Guy Chambers, Reg. No. 30,617
Karen B. Dow, Reg. No. 29,684
M. Henry Heines, Reg. No. 28,219
Laurence J. Hyman, Reg. No. 35,551
Jeffrey J. King, Reg. No. 38,515

Joe Liebeschuetz, Reg. No. 37,505
Jeffrey S. Mann, Reg. No. 42,837
Annette S. Parent, Reg. No. 42,058
Steven W. Parmelee, Reg. No. 31,990
Brian W. Poor, Reg. No. 32,928
Timothy L. Smith, Reg. No. 35,367
William M. Smith, Reg. No. 30,223
Joseph P. Snyder, Reg. No. 39,381
John R. Storella, Reg. No. 32,944
Eugenia Garrett-Wackowski, Reg. No. 37,330
Ellen Lauver Weber, Reg. No. 32,762
Kenneth A. Weber, Reg. No. 31,667
Kathleen Choi, Reg. No. 43,433
Jean M. Lockyer, Reg. No. 44,879

Epimmune Inc.
Timothy J. Lithgow, M.D., J.D.
Reg. No. 36,856

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|--------------------------|---|---|---|------------------------------|
| Full Name of Inventor 1: | Last Name: FIKES | First Name: JOHN | Middle Name or Initial: | |
| Residence & Citizenship: | City: San Diego | State/Foreign Country: California | Country of Citizenship: United States | |
| Post Office Address: | Post Office Address: 6494 Lipmann Street | City: San Diego | State/Country: California | Postal Code: 92122 |
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| Full Name of Inventor 3: | Last Name: SIDNEY | First Name: JOHN | Middle Name or Initial: | |
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| Post Office Address: | Post Office Address: 4218 Corte de la Siena | City: San Diego | State/Country: California | Postal Code: 92130 |
| Full Name of Inventor 4: | Last Name: SOUTHWOOD | First Name: SCOTT | Middle Name or Initial: | |
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| Full Name of Inventor 5: | Last Name: CHESNUT | First Name: ROBERT | Middle Name or Initial: | |
| Residence & Citizenship: | City: Cardiff-by-the-Sea | State/Foreign Country: California | Country of Citizenship: United States | |
| Post Office Address: | Post Office Address: 1473 Kings Cross Drive | City: Cardiff-by-the-Sea | State/Country: California | Postal Code: 92007 |
| Full Name of Inventor 6: | Last Name: CELIS | First Name: ESTEBAN | Middle Name or Initial: | |
| Residence & Citizenship: | City: Rochester | State/Foreign Country: Minnesota | Country of Citizenship: United States | |
| Post Office Address: | Post Office Address: 3683 Wright Road S.W. | City: Rochester | State/Country: Minnesota | Postal Code: 55902 |
| Full Name of Inventor 7: | Last Name: KEOGH | First Name: ELISSA | Middle Name or Initial: | |
| Residence & Citizenship: | City: San Diego | State/Foreign Country: California | Country of Citizenship: United States | |
| Post Office Address: | Post Office Address: 4343 Caminito del Diamante | City: San Diego | State/Country: California | Postal Code: 92121 |

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| | | |
|-------------------------|-------------------------|-------------------------|
| Signature of Inventor 1 | Signature of Inventor 2 | Signature of Inventor 3 |
| <u>JOHN FIKES</u> | <u>ALESSANDRO SETTE</u> | <u>JOHN SIDNEY</u> |
| Date | Date | Date |
| Signature of Inventor 4 | Signature of Inventor 5 | Signature of Inventor 6 |
| <u>SCOTT SOUTHWOOD</u> | <u>ROBERT CHESNUT</u> | <u>ESTEBAN CELIS</u> |
| Date | Date | Date <u>3/13/00</u> |

Signature of Inventor 7

ELISSA KEOGH

Date



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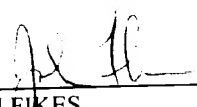
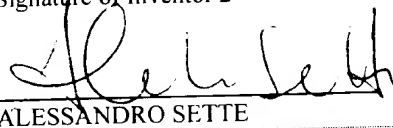
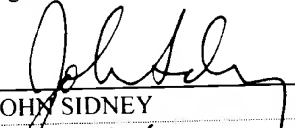



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| Full Name of Inventor 6: | Last Name: CELIS | First Name: ESTEBAN | Middle Name or Initial: | |
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| Signature of Inventor 1  JOHN FIKES Date <u>3/8/00</u> | Signature of Inventor 2  ALESSANDRO SETTE Date | Signature of Inventor 3  JOHN SIDNEY Date <u>3/8/00</u> |
| Signature of Inventor 4  SCOTT SOUTHWOOD Date <u>3/8/00</u> | Signature of Inventor 5  ROBERT CHESNUT Date <u>3-13-00</u> | Signature of Inventor 6 ESTEBAN CELIS Date |
| Signature of Inventor 7  ELISSA KEOGH Date <u>3/8/00</u> | | |